

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
JOHN A. BENEDETTO,

Plaintiff,

-against-

PEI MUSSEL KITCHEN, LLC, a New York limited liability company, d/b/a FLEX MUSSELS-WEST, and MARGARET WORT, an individual, and CHRISTINE M. SWEEMEY, an individual,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
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ELECTRONICALLY FILED
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DATE FILED: 2/28/2020

19 Civ. 7676 (AT)

ORDER OF DISMISSAL

The Court having been advised that all claims asserted herein have been settled in principle, ECF No. 39, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within thirty days of the date of this Order if the settlement is not consummated.

Any application to reopen must be filed within thirty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same thirty-day period to be so-ordered by the Court. Per Rule IV(C) of the Court's Individual Practices in Civil Cases, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: February 28, 2020
New York, New York



ANALISA TORRES
United States District Judge